

## **Bulletin 245**

### **Small group health insurance: miscellaneous issues**

March 20, 1995

The following will clarify various issues which have arisen with respect to interpretation of Maine's small group law (Title 24-A M.R.S.A. § 2808-B):

#### Employer Contribution Requirement

Small group carriers may not require employers to contribute toward the premium for employee health coverage as a condition for issuing or renewing the policy. No criteria other than those expressly authorized by the law may be used to restrict guaranteed issue and renewal of small group policies.

#### Determining Group Size

In counting the number of eligible employees for purposes of determining whether the a group meets the definition of "eligible group," all "eligible employees" as defined in the law may be counted. This includes new employees who are not immediately eligible for coverage due to a waiting period.

#### Classes of Employees

An employer may choose to offer a small group plan only to a class of employees, for example salaried workers. However, all classes of employees meeting the law's definition of "eligible employee" would be counted for purposes of determining group size and for purposes of determining minimum participation requirements.

#### Change in Group Size

Once a small group health policy has been issued, renewal cannot be denied because the group has grown to more than 25 eligible employees. However, small group rating requirements will no longer apply.

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